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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Appln: John R. Burgeson  
Serial No.: 10/790,271  
Filed: March 1, 2004  
For: TEMPERATURE ACTIVATED SCENT WICK  
Group Art Unit: 3752  
Confirmation No.: 9536  
Attorney: Gerald E. Helget  
Attorney Docket No.: 33075.71  
Additional Fees: Charge to Deposit Account No. 02-3732  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

**TRANSMITTAL COVER LETTER**

Enclosed for filing please find the following:

1. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (1 pg.);
2. A check in the amount of \$250.00; and
3. Postcard receipt.

Respectfully submitted,

Dated: 2 MAR 06

By Gerald E. Helget

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**CERTIFICATE OF MAILING**

I hereby certify that this document is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By Gerald E. Helget

Date 2 MAR 06



PTO/SB/31 (04-05)  
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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)  
33075.71

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"Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450" [37 CFR 1.8(a)]  
on March 2, 2006.

Signature

Typed or printed  
name

Gerald E. Helget

In re Application of

John R. Burgeson

Application Number

10/790,271

Filed

March 1, 2004

For TEMPERATURE ACTIVATED SCENT WICK

Art Unit  
3752

Examiner  
Christopher S. Kim

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced  
by half, and the resulting fee is:

\$ 250

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.  
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment  
to Deposit Account No. 023732. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this  
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I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 30,948.

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

Gerald E. Helget

Typed or printed name

612-977-8480

Telephone number

March 2, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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